

## **REMARKS**

Claims 6, 12, 36, 46, 69, 74, 78, 80 and 88 have been amended. Claims 2-7, 9-13, 36-59, and 69-95 remain in the application for consideration. In view of the following remarks, Applicant respectfully requests that the application be 5 forwarded on to issuance.

### **Examiner Interview**

Applicant thanks the Examiner for the time spent interviewing this application on August 14, 2007. During the interview, the reference to Samar was 10 discussed and the notion that Samar teaches only hovering for determining context.

### **Interview Summary**

Applicant attempted to schedule an interview in this case for July 20, 2007. 15 Applicant submitted an interview request form along with an addendum. At the allotted time, however, Applicant was unable to contact the examiner. Applicant believes that an interview would meaningfully advance prosecution. However, in the interest of keeping prosecution moving forward, Applicant has prepared and submitted this response. Applicant respectfully requests that the examiner contact 20 the undersigned representative after receiving and reviewing this response.

### **Rejections under § 103**

Claims 2, 5-7, 9-11, 36-40, 43, 46-48, 50-54, 59, 80, 81, 84-89, and 92-95 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 25 No. 5,572,648 to Bibayan et al. (“Bibayan”), U.S. Patent No. 6,563,514 to Samar et al. (“Samar”), and U.S. Patent No. 6,801,929 to Donoho et al. (“Donoho”).

Claims 3, 4, 12, 13, 41, 42, 45, 49, 56, 57, 82, 83, 90, and 91 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bibayan, Samar, Donoho, and U.S. Patent No. 5,742,504 to Meyer et al. (“Meyer”).

Claim 58 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bibayan, Samar, Donoho, and U.S. Patent No. 5,602,996 to Powers et al. (“Powers”).

Claims 69-79 stand rejected under 35 U.S.C. § 103(a) as being unpatentable  
5 over Bibayan, Samar, Donoho, Meyer, and U.S. Patent No. 6,611,840 to Baer et al. (“Baer”).

Claim 44 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Bibayan, Samar, Donoho, and Baer.

Claim 55 stands rejected under 35 U.S.C. § 103(a) as being unpatentable  
10 over Bibayan, Samar, Donoho, and U.S. Patent No. 5,436,637 to Gayraud et al. (“Gayraaud”).

### **The Claims**

In making out the rejection of **claim 6**, the Office argues that its subject matter is rendered obvious in view of Bibayan, Samar and Donoho. The Office primarily relies on Samar for the notion of determining a user's context based upon where the user *hovers* their cursor. See, e.g., column 4, Lines 39-45. Specifically, this excerpt instructs that "the bubble software configures a processing system such that when a pointer or cursor is positioned by a user over an item of interest, and without further interaction from the user, information related to the item of interest is retrieved locally and/or remotely and then presented to the user." In addition, this excerpt instructs that "the user is not required to click on (or otherwise select) a hypertext link."

**Claim 6** has been amended to recite that "*a user's context can be determined* by ascertaining a position of a user's cursor within a document provided by the application program *and by ascertaining text portions that have been selected by click and dragging by the user.*" Support for this amendment can be found in the specification, among other places, on page 13, lines 17-25, and on page 15, lines 4-6. Specifically, on the page 13 excerpt, an example describes

how a user can select, with their cursor, a portion of text that they believe to be spelled incorrectly. As was well known at the time this application was filed, one way to select text with a cursor is to click and drag over the text. Further in that example on page 14, an example of determining context is provided in which a 5 user places their cursor within a particular table to select the table. See, e.g. page 14, lines 1-13. Thus, in this particular example, two different ways of determining context are provided—text selection via the cursor and cursor location within a document. These two different ways of determining context now appear in this claim.

10 None of the references disclose or suggest this subject matter. And, in point of fact, Samar teaches directly away from any such notion by (1) specifically teaching and describing only hovering as a means of determining a user's context, and (2) specifically calling out the fact that the user is not required to click on (or otherwise select) a hypertext link.

15 Accordingly, for at least this reason, claim 6 is allowable.

**Claims 2, 5-7 and 9-11** depend from claim 6 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 6, are neither disclosed nor suggested by the references of record.

20 **Claim 12** has been amended and, as amended, recites that the user's “context is determined via a number of activities including ascertaining *text portions that have been click-and-drag selected by the user*”. For the reasons set forth above with respect to claim 1, this claim is allowable.

25 **Claim 13** depends from claim 12 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 12, are neither disclosed nor suggested by the references of record.

**Claim 36** has been amended and, as amended recites that “the user's context *can include text portions that have been click-and-drag selected by the*

*user.*” For the reasons set forth above with respect to claim 1, this claim is allowable.

Claims 37-45 depend from claim 36 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 36, are neither disclosed nor suggested by the references of record.

Claim 46 has been amended and, as amended recites that the user's “context *can include text portions that have been click-and-drag selected by the user*”. For the reasons set forth above, this claim is allowable.

Claims 47-59 depend from claim 46 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 46, are neither disclosed nor suggested by the references of record.

Claim 69 has been amended and, as amended recites that the “interactions include *text portions that have been click-and-drag selected by the user*”. For the reasons set forth above, this claim is allowable.

Claims 70-73 depend from claim 69 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 69, are neither disclosed nor suggested by the references of record.

Claim 74 has been amended and, as amended recites that the “interactions include *text portions that can be click-and-drag selected by the user*”. For the reasons set forth above, this claim is allowable.

Claims 75-77 depend from claim 74 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features which, in combination with those recited in claim 74, are neither disclosed nor suggested by the references of record.

**Claim 78** has been amended and, as amended, recites that the user's "context can include a number of activities including whether ***one or more text portions have been click-and-drag selected by the user***".

5      **Claim 79** depends from claim 78 and is allowable as depending from an allowable base claim. This claim is also allowable for its own recited features which, in combination with those recited in claim 78, are neither disclosed nor suggested by the references of record.

10     **Claim 80** has been amended and, as amended, recites that the "selection can comprise a plurality of selection activities including ***text portions that have been click-and-drag selected by the user***". For the reasons set forth above, this claim is allowable.

15     **Claims 81-87** are allowable as depending from an allowable base claim. These claims are also allowable for their own features which, in combination with those recited in claim 80, are neither shown nor suggested by the references of record.

**Claim 88** has been amended and, as amended, recites that the user's "context includes whether or not a user has ***click-and-drag selected a text portion***". For the reasons set forth above, this claim is allowable.

20     **Claims 89-95** are allowable as depending from an allowable base claim. These claims are also allowable for their own features which, in combination with those recited in claim 88, are neither shown nor suggested by the references of record.

### **Conclusion**

All of the claims are in condition for allowance. Accordingly, Applicant requests that the Office issue a Notice of Allowability. If the Office's next anticipated action is to be anything other than issuance of a Notice of Allowability,

5      Applicant respectfully requests a telephone call for the purpose of scheduling an interview.

Respectfully Submitted,

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